

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: TFT-LCD (FLAT PANEL)
ANTITRUST LITIGATION

No. M 07-1827 SI
MDL. No. 1827

This Order Relates to:

AT&T Mobility LLC v. AU Optronics Corp., et al., C 09-4997 SI

Best Buy Co., Inc. v. AU Optronics Corp., et al., C 10-4572 SI

Electrograph Systems, Inc. v. Epson Imaging Devices Corp., et al., C 10-0117 SI

Target Corp. v. AU Optronics Corp., et al., C 10-4945 SI

**ORDER FOR FURTHER
DECLARATIONS RE: DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT
AS TO PURCHASES OF PANELS MADE
BY SUPPOSED CONSPIRATORS NOT
ALLEGED IN THE COMPLAINTS**

On November 2, 2012, the Court held a hearing on defendants' motion for summary judgment as to purchases of panels made by supposed conspirators not alleged in the complaints.

In their reply brief, defendants stated that plaintiffs served Attachment A to Certain Defendants' Interrogatory Responses on January 30, 2012, after the close of fact discovery. Docket No. 6708 at 5:15. However, at the hearing plaintiffs' counsel stated that AT&T first served Attachment A in May 2011, and that the other plaintiffs served Attachment A (or updated versions thereof) at different times in 2011, all before the close of fact discovery. Plaintiffs' counsel also asserted that defendants did not conduct any discovery on the co-conspirators identified in Attachment A. The information provided by plaintiffs' counsel regarding when Attachment A was served on defendants was not contained in plaintiffs'

1 opposition papers or declarations.

2 The Court finds that an understanding of when Attachment A was served on defendants in each
3 of the four cases will assist the Court in resolving defendants' motion. Accordingly, the Court directs
4 plaintiffs' and defendants' counsel to file declarations stating (1) when Attachment A was served on
5 defendants in each case, (2) whether defendants conducted any discovery regarding the identities of
6 alleged co-conspirators named in Attachment A, and if so when, and (3) whether any of the entities at
7 issue in defendants' motion were never listed on Attachment A, and if so, which ones. The parties shall
8 file the declarations no later than **November 7, 2012**.

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10 **IT IS SO ORDERED.**

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12 Dated: November 2, 2012

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14 SUSAN ILLSTON
15 United States District Judge
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